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March 9, 2005

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10/697,446

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MESSSAGE:

US Serial No.: 10/697,446 Filing Date: March 9, 2005 **Group Art Unit: 2813** Docket No: 03-1202

Examiner: Stephen W. Smoot

Response to Restriction Requirement

MS: AMENDMENT

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TRANSMITTAL			Filing Date	October	October 29, 2003		
FORM		First Named Inventor	Arvind K	Arvind Kamath, et al.			
			Art Unit	2613	2613		
(to be used for all correspondence after initial filling)			Examiner Name	Stephen	Stephen W. Smoot		
Total Number of Pages in This Submission 3		Altomey Docket Number	03-1202	03-1202			
ENCLOSURES (Check all that apply)							
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March 9, 2005			Reg. No.	36,771			
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Manu Kashyap

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Arvind Kamath, et al.)
· ·) Group Art Unit: 2813
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Serial No.: 10/697,446) Examiner: Stephen W. Smoot
)
Filed: October 29, 2003) Atty. Docket No.: 03-1202
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For: Single Layer Configurable Logic	,
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RESPONSE TO OFFICIAL ACTION Restriction/Election Requirement

Hon. Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This response is presented to the Office Action mailed February 17, 2005, wherein the Examiner required restriction pursuant to 35 U.S.C. §121. Election is hereby made, with traverse, to prosecute Group I, method claims 1-15.

Remarks/Arguments

Reconsideration of the restriction is respectfully requested.

In making the restriction/election requirement, it is stated that "the product as claimed can be made by another and materially different process such as one that diffuses a nitrogen depart from a vapor phase rather than one that uses the as-claimed nitrogen implanting step." Applicants respectfully submit that this statement is incorrect and draw the Examiner's attention to claim 16. It is stated in Claim 16 that the antifuse of the system includes a gate oxide formed by implanting nitrogen into a first portion of the substrate." Claims 17 and 18, depend from claim 16, and therefore also include the features set forth in claim 16.

Furthermore, restriction is not required by 35 U.S.C. §121, as suggested in the Office Action. Congress wisely granted the discretion to restrict applications. According to 35 U.S.C, §121 "... the Commissioner may require the application to be restricted...." (emphasis added).

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